

**COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
REGULAR MEETING
K.O. Rayburn Training Center, 2401 Egypt Road, Ada, OK 74820
January 29, 2014
MINUTES**

MEMBERS PRESENT:

Sheriff John Whetsel, Oklahoma County
Chief Michael Robinson, O.S.U. DPS
Dr. James Burke, East Central University
Sheriff John Christian, Pontotoc County
Chief Bill Citty, Oklahoma City Police Dept.
Director Stan Florence, O.S.B.I.
Chief Russell Frantz, Shawnee Police Dept.
Director Norman McNickle, DPS City of Stillwater
Chief Bob Ricks, Edmond Police Dept.
Director Darrell Weaver, Oklahoma Bureau of Narcotics

STAFF PRESENT:

Steve Emmons, Executive Director
Charles Gerhart, Assistant Director
Chris Sutterfield, Chief of Operations
John Parker, Chief of Administration
James Wilson, General Counsel
Briana Tully, Special Project Coordinator
Laurie Schweinle, Recording Secretary

MEMBERS ABSENT:

Major Todd Blish, Oklahoma Highway Patrol
Asst. Chief Jason Smith, Mounds Police Dept.
Chief Randy Wesley, Chickasaw Nation Lighthouse
Police Dept.

1. Call Meeting to Order

Chairman Whetsel called the meeting to order at 10:07 a.m. Roll was called, and ten members were present, representing a quorum. Chairman Whetsel then asked Director Emmons if the agenda was posted in accordance with the Open Meeting Act. Director Emmons responded that it was.

2. Approval of Minutes

There was no discussion.

Action Taken: Director McNickle made a motion to approve the minutes as written. Director Florence seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver abstained. The motion carried 9-1.

3. Council Composition

Chairman Whetsel welcomed new members Chief Russell Frantz, Shawnee PD, and Sheriff John Christian, Pontotoc County.

4. Advisory Council Report

There was no discussion.

Action Taken: Director Florence made a motion to receive the report. Chief Robinson seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

5. Advisory Council Composition

There was no discussion.

Action Taken: Director Florence made a motion to reappoint Major Rob Turner, Tulsa PD, and Undersheriff Tim Albin, Tulsa County. Chief Robinson seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

6. Private Security Advisory Committee (PSAC) Report

There was no discussion.

Action Taken: Director McNickle made a motion to receive the report. Chief Citty seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

7. Private Security Advisory Committee Composition

There was no discussion.

Action Taken: Chief Citty made a motion to reappoint Mr. Alan Grayson. Chief Ricks seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

8. Curriculum Review Board Report

There was no discussion.

Action Taken: Director Florence made a motion to receive the report. Director Weaver

seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

9. **Bomb Dog Advisory Council Composition**

There was no discussion.

Action Taken: Chief Robinson made a motion to appoint Deputy Clyde Carter, Canadian County, to the Bomb Dog Advisory Council. Director McNickle seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

10. **CLEET Financial Report**

John Parker, Chief of Administration, explained to members that, including encumbrance, approximately 89.2% of the operating budget had been spent to date. He said this was consistent with past years and asked for any questions. There was no further discussion.

Action Taken: Chief Citty made a motion to receive the report. Director Florence seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

11. **Discussion of Promissory Note Collection Methods**

James Wilson, General Counsel, began by explaining to members how the promissory note works and the statute that gives state agencies the authority to seize income tax refunds to collect payment. He then asked the Council members for their opinion on whether CLEET should utilize this ability. Council members expressed some concerns about this and asked questions regarding cost, time spent on collection by CLEET staff, and methods currently being used to collect payments.

The consensus among members was that this should be used only as a last resort to collect promissory note fees. They also agreed that CLEET staff should be consistent with how and when this procedure is used and should therefore come up with a set of guidelines to be presented at the next regular Council meeting.

Action Taken: Director McNickle made a motion to allow staff discretion to seize an individual's income tax refund in order to collect promissory notes and also for staff to develop guidelines for this procedure and present those at the next regular Council meeting. Chief Robinson seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

12. CLEET Open Records Act Curriculum Protection

Director Emmons advised members that the issue of CLEET's curriculum being protected by the Open Records Act had been brought up in several meetings, including the Advisory Council. Instructors have been frustrated at not being able to receive updated curriculum. Director Emmons advised that staff believed they could release the curriculum if the instructors sign an affidavit verifying that they will not share the curriculum but wanted the Council's opinion on this. Members then had a general discussion about the issue.

Action Taken: Director Florence made a motion to release curriculum to CLEET certified instructors with appropriate assurances. Director McNickle seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

13. Authority for CLEET to Mandate Peace Officer Training

Director Emmons explained to members that each year special interest groups approach legislators about mandating different types of training for peace officers. He added that the last few years CLEET has been successful at avoiding these mandates by compromising with the groups to put out the training without legislation. Due to this, Director Emmons asked the Council what their thoughts were on CLEET having the authority to mandate peace officer continuing education training.

Director Weaver commented that he did not think this would stop the legislative process, and Director Emmons agreed. Members then expressed their support for this idea and discussed how it would best be accomplished.

Action Taken: Chief Ricks made a motion to have staff prepare appropriate modifications to Title 70, Section 3311 and also to develop a process for people to come forward with training requests. Sheriff Christian seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

14. Actions Against Peace Officers

There was no discussion.

Action Taken: Chief Ricks made a motion to receive the report. Chief Citty seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

15. Shoot House Addition

Director Emmons informed members that CLEET would like to add a simunition shoot house to the campus. He explained this was motivated by wanting to add ALERRT training to the Basic Academy as well as giving CLEET the ability to host other classes, including those

related to school safety and active shooters. He added that it would likely be constructed as a metal pole building with movable walls. Charles Gerhart, Assistant Director, advised that preliminary estimates on cost were approximately \$250,000.

Action Taken: Director McNickle made a motion to direct staff to move forward with this as they are able. Director Florence seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

16. Divisional Reports

Assistant Director Gerhart advised members that there are currently 79 students in the Basic Academy with 256 already hired and waiting or slots reserved for departments. Director Emmons added that 1402, 1403, and 1404 are full, and that 1405 may become another bridge academy depending on the numbers. Director McNickle asked what the maximum in one academy would be. Director Emmons answered that 75 was the best number due to spots available on the firing range and cars for driver training. Director McNickle said that the legislature would need to increase budget and staff. Director Emmons replied that CLEET had been to the budget hearings and did not expect an increase and would probably be cut, which could lead to problems.

Action Taken: Chief Citty made a motion to receive the reports. Dr. Burke seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

17. 2014 Proposed CLEET Rule Changes

Director Emmons advised that rule changes were moving forward and there was nothing new to report.

18. Legislative Update

Director Emmons advised members that CLEET would be running three bills this year.

19. Director's Report

Director Emmons reported to members what CLEET's requests from the legislature had been, which totaled approximately \$1M. These appropriations would be used for a patrol rifle range and instructors, SUVs and Chargers for LEDT, rewriting the agency's information database, an additional compliance officer, funding for the Bail Enforcement Act, 7.5% inequity adjustment for CLEET instructors, and replenishing carryover funds. He then reported that there is a movement among POSTs for military to peace officer training, suspensions are down about 1,000 people, a plan is in place for 160 hour reserves to be able to attend the bridge academy, and CLEET has hired two new employees.

Briana Tully, Special Project Coordinator, then reported to members regarding the training initiatives held last year and the plans for this year's initiatives. The two held last year were

well received by officers, and CLEET is currently planning for three in 2014. The first training initiative will be held in May in Broken Arrow and plans are being made for two other initiatives to be held in September and December with locations to be decided. She also reported on some of the classes to be held including cold case and VICE investigations, drug trends, sovereign citizens, and many others.

Director Emmons advised the OHP would be holding thirty ALERRT classes to train all of their troopers and that a trooper had been assigned to assist CLEET with certain aspects of ALERRT.

Director Weaver advised members that Director Emmons and John Parker performed very well at the budget hearings.

Director Florence reported that he thought the training initiatives were very positive and well organized. He commended Briana Tully on her work.

Director Emmons then reported that CLEET staff had been in contact with the Governor's office and the Department of Education as to how to handle home school students without a GED who are requesting entrance into a Basic or Reserve Academy. He advised that the Department of Education has declined to issue an opinion and CLEET has been researching how colleges and universities handle this. Members then discussed possible solutions to this problem.

20. New Business.

Director McNickle asked that the Council recognize this being the first meeting since Chief Byron Cox had passed away and also his great service to the Council and Oklahoma law enforcement. Members expressed their appreciation for Chief Cox.

21. Adjournment

Action Taken: Chief Robinson made a motion to adjourn the meeting. Dr. Burke seconded the motion. Chairman Whetsel voted yes. Chief Robinson voted yes. Dr. Burke voted yes. Sheriff Christian voted yes. Chief Citty voted yes. Director Florence voted yes. Chief Frantz voted yes. Director McNickle voted yes. Chief Ricks voted yes. Director Weaver voted yes. The motion carried 10-0.

The meeting adjourned at 11:47 a.m.